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5 **UNITED STATES DISTRICT COURT**

6 **DISTRICT OF NEVADA**

7
8 UNITED STATES OF AMERICA,

2:10-CR-0356-LDG-LRL

9 Plaintiff,

10 **ORDER**

11 v.

12 JEANNIE SUTHERLAND, et al,

13 Defendants.

14 **FINDINGS OF FACT**

15 Based on the consent of the parties, and good cause appearing, the court finds that:

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- 17 1. Counsel for the defendants—specifically counsel for the defendants added to this
- 18 action by the Superseding Indictment—need additional time to investigate the facts
- 19 of this case.
- 20 2. The defendants are not incarcerated and do not object to the continuance.
- 21 3. The parties agree to the continuance.
- 22 4. Denial of this request for continuance would deny counsel for defendants sufficient
- 23 time to effectively and thoroughly prepare for trial and could result in a miscarriage
- 24 of justice.
- 25 5. The additional time requested is excludable in computing the time within which the
- 26 trial herein must commence pursuant to the Speedy Trial Act, Title 18, United

1 States Code, Sections 3161(h)(6), (h)(7), considering the factors under Title 18,
2 United States Code, Sections 3161(h)(7)(i) and 3161(h)(7)(iv).

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best interests of the
5 public and the defendants in a speedy trial, since the failure to grant said continuance would likely
6 result in a miscarriage of justice, would deny the parties herein sufficient time and opportunity to
7 effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

8 The continuance is excludable in computing the time within which the trial herein must
9 commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(6),
10 (h)(7), considering the factors under Title 18, United States Code, Sections 3161(h)(7)(i) and
11 3161(h)(7)(iv).

12 **ORDER**

13 THE COURT HEREBY ORDERS that trial briefs, proposed voir dire questions, proposed
14 jury instructions, and a list of the Government's prospective witnesses must be electronically
15 submitted to the court by September 13, 2011.

16 THE COURT FURTHER ORDERS that the calender call currently scheduled for June 21,
17 2011, at 8:30 a.m., be vacated and continued to September 13, 2011, and the trial currently
18 scheduled for June 27, 2011, be vacated and continued to September 26, 2011, at the hour of 8:30
19 a.m., in courtroom 6B.

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21 DATED this 14 day of June, 2011.

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26 Lloyd D. George
United States District Judge